

Plaintiff James Hayden (“Hayden”) and Defendants 2K Games, Inc. and Take-Two Interactive Software, Inc. (collectively, “Take-Two,” and together with Plaintiff, “Parties”) hereby stipulate as follows with regard to evidence, argument, and testimony for the upcoming scheduled trial:

1. Hayden will not introduce evidence, testimony, or argument, including during cross-examination, of Take-Two's sales, revenues, or profits from unaccused video games, including *NBA 2K21* and *NBA 2K22*;
2. No Party's witnesses will reference or repeat testimony by an expert that has been excluded by this Court's *Daubert* rulings; and
3. The Parties stipulate to the admissibility of the following documents that Take-Two produced in discovery:
  - (i) TAKE-TWO\_00006143;
  - (ii) TAKE-TWO\_00006144–TAKE-TWO\_00006146;
  - (iii) TAKE-TWO\_00006148 (Corrected); and

(iv) TAKE-TWO\_00006149-TAKE-TWO\_00006152 (Corrected).

DATED: April 20, 2023

/s/Dale M. Cendali

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